



GARRETT S. HOAG  
DANA T. LOWELL  
F. LESTER FRASER

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Appeal of Warren M. and Jean H. Little

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on May 19, 1966, on the appeal of Warren M. and Jean H. Little, from the refusal of the Inspector of Buildings to issue a permit to them to construct an addition on the front and side of their dwelling at 106 Dover Road. The reason for such refusal was that said additions would violate Chapter IV, Section 1, of the Building Code which requires that all such buildings shall be placed at least thirty feet from the side line of any public or private street and fifty feet from the center of the street and Section XIX of the Zoning By-law which requires that there shall be provided for all dwellings a side yard not less than twenty feet in width, and a front yard not less than thirty feet in depth.

On April 22, 1966, the Inspector of Buildings notified the appellants in writing that a permit for the proposed additions could not be issued for the above-mentioned reasons and on the same date the appellants took an appeal in writing. Thereafter due notice of the hearing was given by mailing and publication.

Warren M. Little represented the appellants at the hearing.

Robert Bastille, Architect, spoke in favor of the request.

Statement of Facts

The house involved is located within a single-residence district requiring a minimum lot area of 40,000 square feet. It was built prior to the enactment of the Zoning By-law and Building Code requiring the above-mentioned setbacks, on a lot of land containing 40,190 square feet.

The appellants seek permission to construct an addition 7' x 21.4' at the rear of their attached garage. This addition together with a portion of the garage will provide a study for which the appellants have a need at this time. The proposed addition is designed to set in 0.5' from the rear corner of the existing garage and, if built, will lie 17.0' from the lot line on the southerly side at the point of joining the garage and 17.9' from the same lot line at the rear corner.

The appellants further request permission to square off the southwest corner of the house approximately 6.3' across the front. This addition will not only improve the appearance of the dwelling, but will also enlarge the dining room. The house sets back 28' from Dover Road, and the proposed addition, if built, will set back 27.5' at the nearest point.

A plot plan drawn by Gleason Engineering Company, dated April 15, 1966, was submitted which showed the existing house and the two proposed additions.

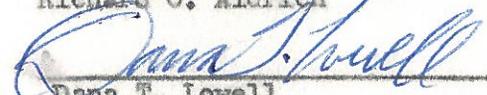
Decision

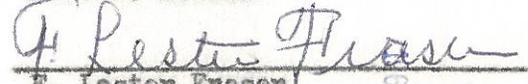
The facts in this case satisfy the conditions set forth in Section XIX of the Zoning By-law and Chapter I, Section 10, of the Building Code on which the Board's authority depends to grant a special exception from the application of the front and side yard restrictions of the Zoning By-law and to vary the requirements of Chapter IV, Section 1, of the Building Code. Although the lot contains 40,190 square feet, it is peculiar in shape and has a frontage of only 89.60', with a 25.32' right angle in the northerly side line approximately thirty feet from the rear of the dwelling. Therefore, compliance with the requirements of the front and side yard restrictions is impracticable because of the shape of the lot; the house was built prior to the enactment of the zoning by-law, and the lot was held of record on April 1, 1939 and April 1, 1940, under a separate and distinct ownership from adjacent lots.

The Board finds that a real need exists for the proposed additions and the granting of the requested exceptions will not injure the neighborhood or substantially derogate from the intent and purpose of the by-laws. The house is relatively small and the appellants have need for a study as Mr. Little is a teacher and needs a room where he can work. The provisions of the Building Code do not appear to have contemplated the circumstances of this specific case.

Accordingly, the requested exceptions from the Zoning By-law and variance from the Building Code are granted and the issuance of a permit for the proposed additions in accordance with the plan submitted and on file with this Board is hereby authorized.

  
Richard O. Aldrich

  
Dana T. Lowell

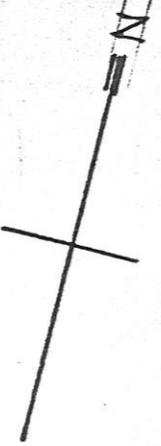
  
F. Lester Fraser

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ALFRED A. & FRANCES BURNS

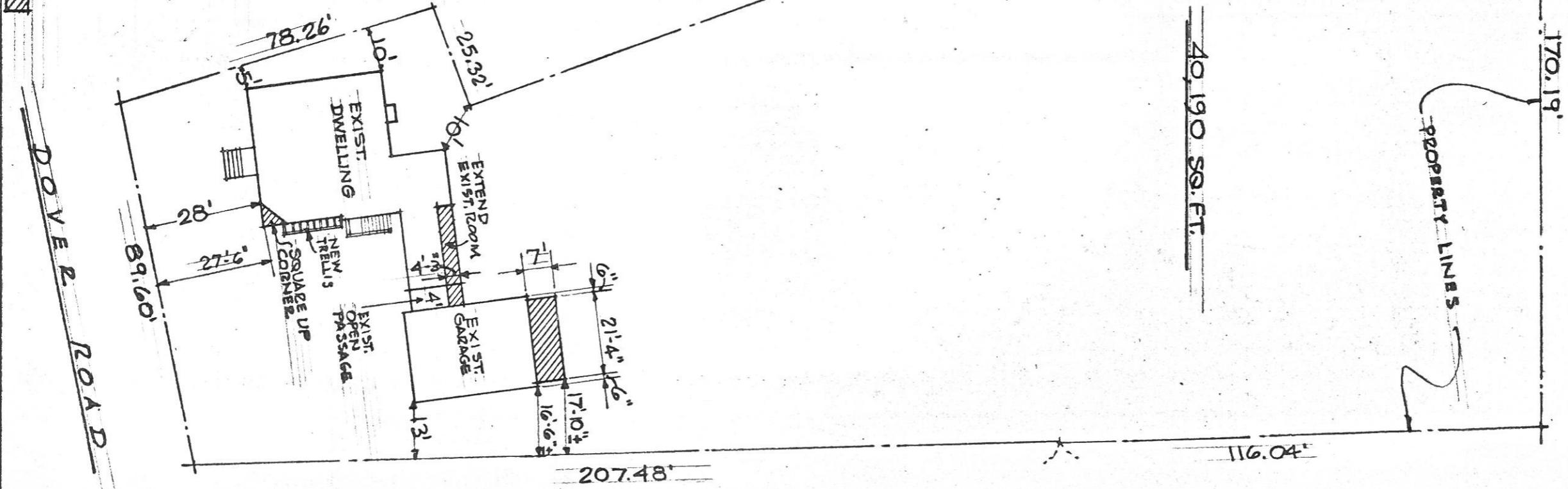
COMMONWEALTH OF MASSACHUSETTS  
SUDBURY RIVER AQUEDUCT



TRACED FROM A PLAN OF  
LAND BELONGING TO  
RICHARD B. HODGES  
WELLESLEY, MASS.  
PREPARED BY GLEASON ENGINEERING  
COMPANY AND DATED MAY 7, 1956

PROPOSED ADDITIONS  
AND ALTERATIONS TO  
HOUSE FOR MR. & MRS. W.M. LITTLE  
106 DOVER RD.  
WELLESLEY, MASS.  
BASTILLE - NEILEY ARCHITECTS  
BOSTON, MASS.

SCALE: 1" = 30'  
APRIL 14, 1966  
DWG. NO. 1  
PROPOSED ADDITIONS  
SHOWN SHADED



WISWALL ESTATE TRUST